

**OFFICE OF THE MISSISSIPPI SECRETARY OF STATE
BUSINESS REGULATION AND ENFORCEMENT DIVISION**

IN THE MATTER OF :

**Vietnam Veterans Legacy Foundation
Post Office Box 95000-1655
Philadelphia, PA 19195-1655**

Respondent

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**Administrative Proceeding
Number: C-06-0181**

ORDER

This matter, which the Mississippi Secretary of State referred to Hearing Officer Susan Shands Jones, is the subject of her FINDINGS OF FACT AND CONCLUSIONS OF LAW entered December 15, 2006. A copy of which is affixed hereto as Exhibit "A" and incorporated herein by reference.

The Secretary of State adopts, in entirety, the findings, conclusions and penalties of the Hearing Officer contained in said FINDINGS OF FACT AND CONCLUSIONS OF LAW and makes them his Order.

So ordered, this, the 19th day of December, 2006.



ERIC CLARK
Secretary of State

**THE MISSISSIPPI SECRETARY OF STATE'S OFFICE
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FINDINGS OF FACT AND CONCLUSIONS OF LAW

This cause coming on this day for hearing before the Hearing Officer, Honorable Susan Shands Jones presiding, and the issues having been duly presented on the pleadings, the Hearing Officer finds as follows:

I.

The hearing is limited to the actions of Respondent Vietnam Veterans Legacy Foundation (hereinafter "VVLf").

II.

VVLf is a charitable organization as defined in Miss. Code Ann. § 79-11-501(a)(i)(A) and (B).

III.

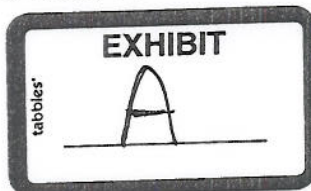
As a charitable organization soliciting charitable contributions from Mississippi residents, VVLf is subject to the jurisdiction of the Business Regulation and Enforcement Division of the Mississippi Secretary of State's Office under Miss. Code Ann. § 79-11-501 et. seq.

IV.

VVLf has stipulated by letter of November 1, 2006 that it solicited contributions from Mississippi residents using a charitable appeal of 3,038 pieces of mail. The appeal resulted in 92 pledges from Mississippi residents for a total gross collected amount of \$3,926.00.

V.

The parties participated in a conference call on December 5, 2006. Parties were given until December 11, 2006 to turn in any additional information. No documents were received.



VI.

VVLF included information in its solicitations which falsely implied that the charity was properly registered with the Division.

VII.

VVLF was not registered with the Business Regulation and Enforcement Division of the Mississippi Secretary of State's Office (hereinafter "Division") at any time in which it solicited in Mississippi.

VIII.

On June 14, 2006, the Division issued a Summary Cease and Desist Order and Notice of Intent to Impose Administrative Penalty. In this Order, the Division alleged two (2) violations of the Act by the charity and one violation of the Act by Mr. Carlton Sherwood. The Division has agreed to lift the Order as to Mr. Sherwood at the conclusion of the administrative action against the charity. Based on the violations, the Division is seeking Twenty-five Thousand Dollars (\$25,000.00) from VVLF for each of the two violations alleged in the Order for a total administrative penalty of Fifty Thousand Dollars (\$50,000.00).

IX.

VVLF violated Miss. Code Ann. § 79-11-503 by soliciting while unregistered.

X.

VVLF violated Miss. Code Ann. § 79-11-509 by including false information in its solicitation materials and is subject to the penalties set up in Miss. Code Ann. § 79-11-509 (4)(c).

THEREFORE, an administrative penalty in the amount of fifty thousand dollars (\$50,000) is hereby imposed against Vietnam Veterans Legacy Foundation.

ORDER AND ADJUDGED, this the 15th day of December, 2006.



Susan Shands Jones
Hearing Officer